

Assemblyman  
**PAUL KORETZ**  
 Forty-second Assembly District

*proudly representing the communities of West Hollywood, Beverly Hills, Los Angeles, Century City, Westwood, Bel Air, Brentwood, West Los Angeles, Hollywood, Hancock Park, Universal City, Studio City, and Sherman Oaks*



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**KORETZ CRITICIZES ADMINISTRATION PLAN TO TAKE AWAY MEAL PERIODS**  
*Labor Chair Says DLSE Regulations Will Weaken Worker Protections*

(**Sacramento**) Assemblyman Paul Koretz (D-West Hollywood), Chair of the Assembly Committee on Labor and Employment, responded today to proposed regulations issued by the Department of Industrial Relations, Division of Labor Standards Enforcement (DLSE) that would essentially eliminate meal periods for private sector workers in California.

"This proposed regulation constitutes a thinly-veiled attempt to subvert existing worker protections for the benefit of employers," said Koretz in a strongly-worded letter to the Office of Administrative Law. The letter was co-signed by Assembly Speaker Fabian Nuñez.

Under the proposed regulations, which were posted on DLSE's website late Friday afternoon, employers are only required to inform workers of their right to a meal period, but do not have to actually provide the lunch break. This is a dramatic departure from the guaranteed meal period that has been part of California law for nearly a century.

Koretz also challenged the authority of DLSE to adopt regulations in this area of the law. "The Industrial Welfare Commission (IWC), not DLSE, has the legislative authority to promulgate regulations pertaining to wages, hours and working conditions. If the IWC is unable to act because of recent defunding, then the Legislature must either act directly or delegate this power to an alternate authority. Neither of those situations has occurred. As a result, DLSE simply lacks the authority with which it purports to act."

Koretz also criticized the proposed regulations as conflicting with the clear and unambiguous language of existing statutory law and IWC Wage Orders. "This proposed change would violate the express terms and clear meaning of existing law and would effectively eviscerate an employee's right to receive a meal period at all," wrote Koretz.

As a proposed "emergency" regulation, there is only a five calendar-day period for public comments before the Office of Administrative Law. DLSE released the proposed regulations late last Friday afternoon in an apparent attempt to catch organized labor and the general public off-guard before the weekend. As a result of DLSE's last minute actions, the deadline for public comment is this Wednesday, December 15, 2004.

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